

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q103120

Denis J. D. FAUCONNIER, et al.

Appln. No.: 10/500,900

Group Art Unit: 2617

Confirmation No.: 8868

Examiner: Fred A CASCA

Filed: April 21, 2005

For: METHOD FOR CONTROLLING COMMUNICATION CHANNELS AND BASE STATION AND TERMINAL THEREFOR

**PETITION FOR WITHDRAWAL OF FINALITY AND FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for withdrawal of the finality of the Office action mailed February 25, 2008.

The Office action included a rejection of claim 7 under 35 USC 112, based on language that existed originally in claim 7 and could not have been necessitated by amendment.

Accordingly, the finality was improper.

A refund of the second and third extension months paid August 25, 2008 is requested.

Respectfully submitted,

/DJCushing/

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Date: August 25, 2008